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## PATENT APPLICATION

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q76309

Takashi IMANISHI, et al.

Appln. No.: 10/607,217

Group Art Unit: 3682

Confirmation No.: 5687

Examiner: NOT YET ASSIGNED

Filed: June 27, 2003

For: TOROIDAL-TYPE CONTINUOUSLY VARIABLE TRANSMISSION

### PETITION UNDER 37 CFR § 1.181 TO WITHDRAW A HOLDING OF ABANDONMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

This is in response to a Notice of Abandonment sent on November 23, 2004.

The undersigned, on behalf of Applicants, petitions the Commissioner requesting withdrawal of the holding of abandonment of the above identified application. The application was abandoned for allegedly failing to responding to the Notice to File Missing Parts (Notice) mailed on November 7, 2003. Firstly, there was no Notice to File Missing Parts mailed in the subject application. The Notice of Abandonment is presumably referring to a Notice to File Corrected Application Papers, mailed on November 7, 2003. Secondly, Applicants did timely respond to the Notice to File Corrected Application Papers by filing a fully responsive paper with the required formal drawings on January 7, 2004. Submitted herewith are the following documents:

1. *A copy of the Notice to File Corrected Application Papers mailed on November 7, 2003.*
2. *A copy of the Response to Notice to File Corrected Application Papers dated January 7, 2004.*

PETITION UNDER 37 CFR § 1.181 TO WITHDRAW A HOLDING  
OF ABANDONMENT

US Appln. No: 10/607,217

Attorney Docket No.: Q76309

3. *A copy of the Replacement Drawings submitted with the Response.*
4. *A copy of the PTO mail room stamp receipt identifying the papers as filed on January 7, 2004.*
5. *Notice of Abandonment.*

From documents 1-5 it is clear that this firm, representing Applicants, duly filed the response, well within the two months of the Notice to File Corrected Application Papers.

In view of the above it is respectfully submitted that the application should not have been abandoned and the Commissioner is petitioned to withdraw the holding of abandonment.

Although there should be no fee due since the abandonment occurred as a result of a mistake by the USPTO, if the USPTO decides that a fee is required, you are authorized to charge the petition fee to Deposit Account No. 19-4880. The USPTO is directed and authorized to charge all required fees to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this transmittal letter is attached.


SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Respectfully submitted,



Darryl Mexic  
Registration No. 23,063

Date: December 7, 2004



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/607,217	06/27/2003	Takashi Imanishi	Q76309

CONFIRMATION NO. 5687

ABANDONMENT/TERMINATION  
LETTER

\*OC000000014438672\*

23373  
 SUGHRUE MION, PLLC  
 2100 PENNSYLVANIA AVENUE, N.W.  
 SUITE 800  
 WASHINGTON, DC 20037

Date Mailed: 11/23/2004

## NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 11/07/2003.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

  
 \_\_\_\_\_  
 Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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**FILING RECEIPT**  
**PLEASE DATE STAMP AND RETURN TO US - BOX 235X**

In re application of  
Takashi IMANISHI, et al.  
Appln. No.: 10/607,217  
Confirmation No.: 5687  
Filed: June 27, 2003



Group Art Unit: 3682  
Examiner: not yet assigned

For: TOROIDAL-TYPE CONTINUOUSLY VARIABLE TRANSMISSION

**PAPER(S) FILED ENTITLED:**

1. Information Disclosure Statement (*with 1 reference and PTO/SB/08 A & B (modified)*)
2. Response to Notice to File Corrected Application Papers (*with a copy of the Notice and eleven (11) sheets of drawings; Figures 1-15*)

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

DOCKET NO.: Q76309  
ATTORNEY/SEC: DM/js  
Date Filed: January 7, 2004

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q76309

Takashi IMANISHI, et al.

Appln. No.: 10/607,217

Group Art Unit: 3682

Confirmation No.: 5687

Examiner: not yet assigned

Filed: June 27, 2003

For: TOROIDAL-TYPE CONTINUOUSLY VARIABLE TRANSMISSION

**RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS**

**MAIL STOP PGPUB**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RECEIVED  
JAN 14 2004

JAN - 7 2004

Sir:

In response to the "Notice to File Corrected Application Papers-Filing Date Granted", mailed November 7, 2003, submitted herewith are eleven (11) sheets (Figures 1-15) of drawings in compliance with 37 C.F.R. § 1.84. Also, attached is a copy of the Notice to File Corrected Application Papers - Filing Date Granted.

Consideration of the attached is respectfully requested.

Respectfully submitted,

Darryl Mexic

Registration No. 23,063

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: January 7, 2004



UNITED STATES PATENT AND TRADEMARK OFFICE

*U.S.M.*  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/607,217	06/27/2003	Takashi Imanishi	Q76309

23373  
SUGHRUE MION, PLLC  
2100 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, DC 20037

**DOCKETED**  
NOV 10 2003

**CONFIRMATION NO. 5687**  
**FORMALITIES LETTER**



Date Mailed: 11/07/2003

## NOTICE TO FILE CORRECTED APPLICATION PAPERS

### *Filing Date Granted*

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 1-15.
  - The drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) (see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1)). See Figure(s) 1-15.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

*Ad Wany*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 1 - ATTORNEY/APPLICANT COPY



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/607,217	06/27/2003	Takashi Imanishi	Q76309

23373  
SUGHRUE MION, PLLC  
2100 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, DC 20037

CONFIRMATION NO. 5687

## FORMALITIES LETTER



\*OC000000011195831\*

Date Mailed: 11/07/2003

## NOTICE TO FILE CORRECTED APPLICATION PAPERS

*Filing Date Granted*

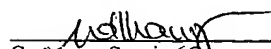
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Replies should be mailed to: Mail Stop Missing Parts  
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*A copy of this notice **MUST** be returned with the reply.*

  
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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE